



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

994
200



TRANSPORTATION LIBRARY

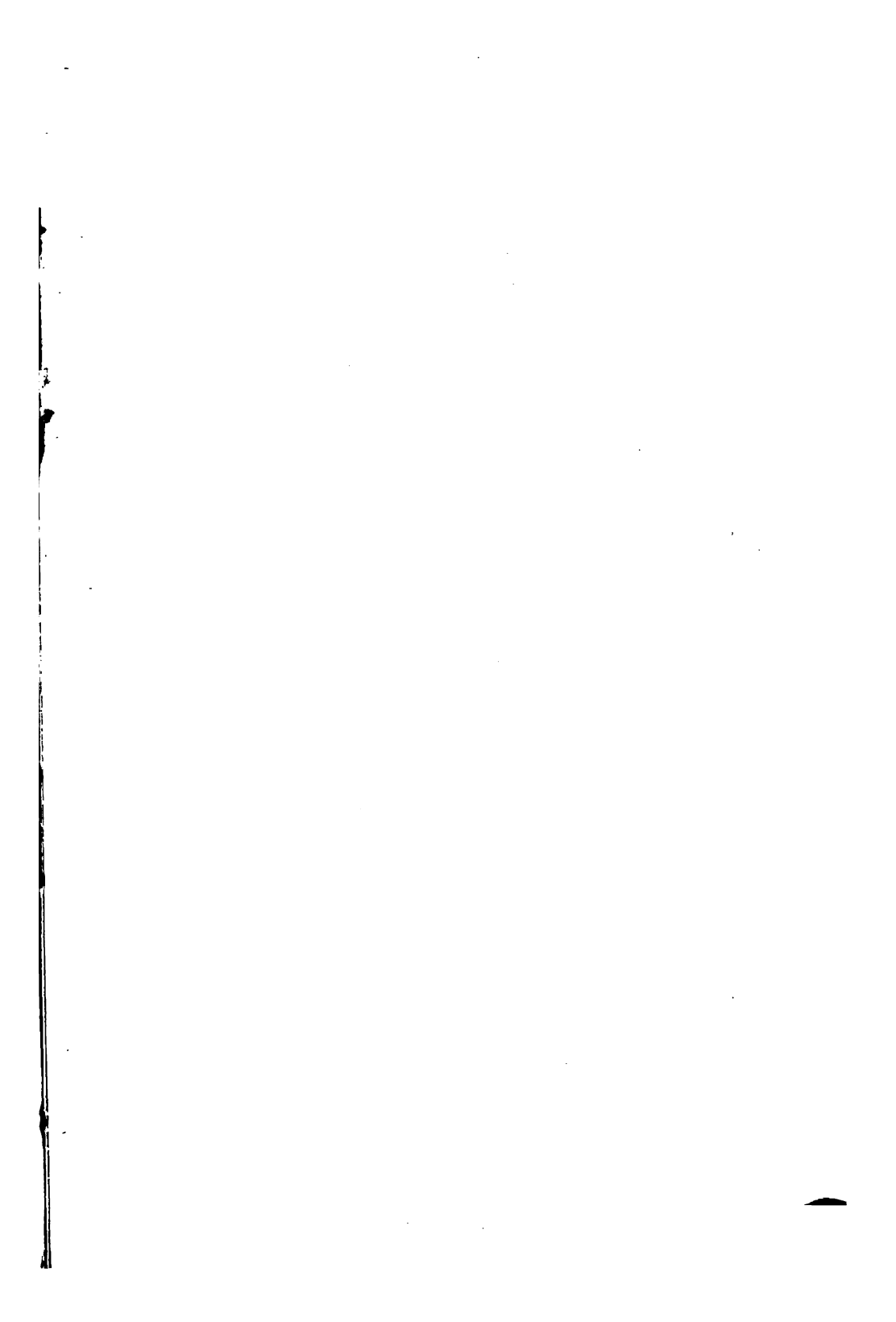




JAMES GRANT



JAMES GRANT





JUDGE JAMES GRANT

GREAT LAWYER AND STURDY PIONEER OF IOWA
FIRST PRESIDENT OF THE CHICAGO AND ROCK ISLAND RAILWAY

From a photograph made about the year 1866

JAMES GRANT

A MODEL AMERICAN

BY

WILLIS BRUCE DOWD

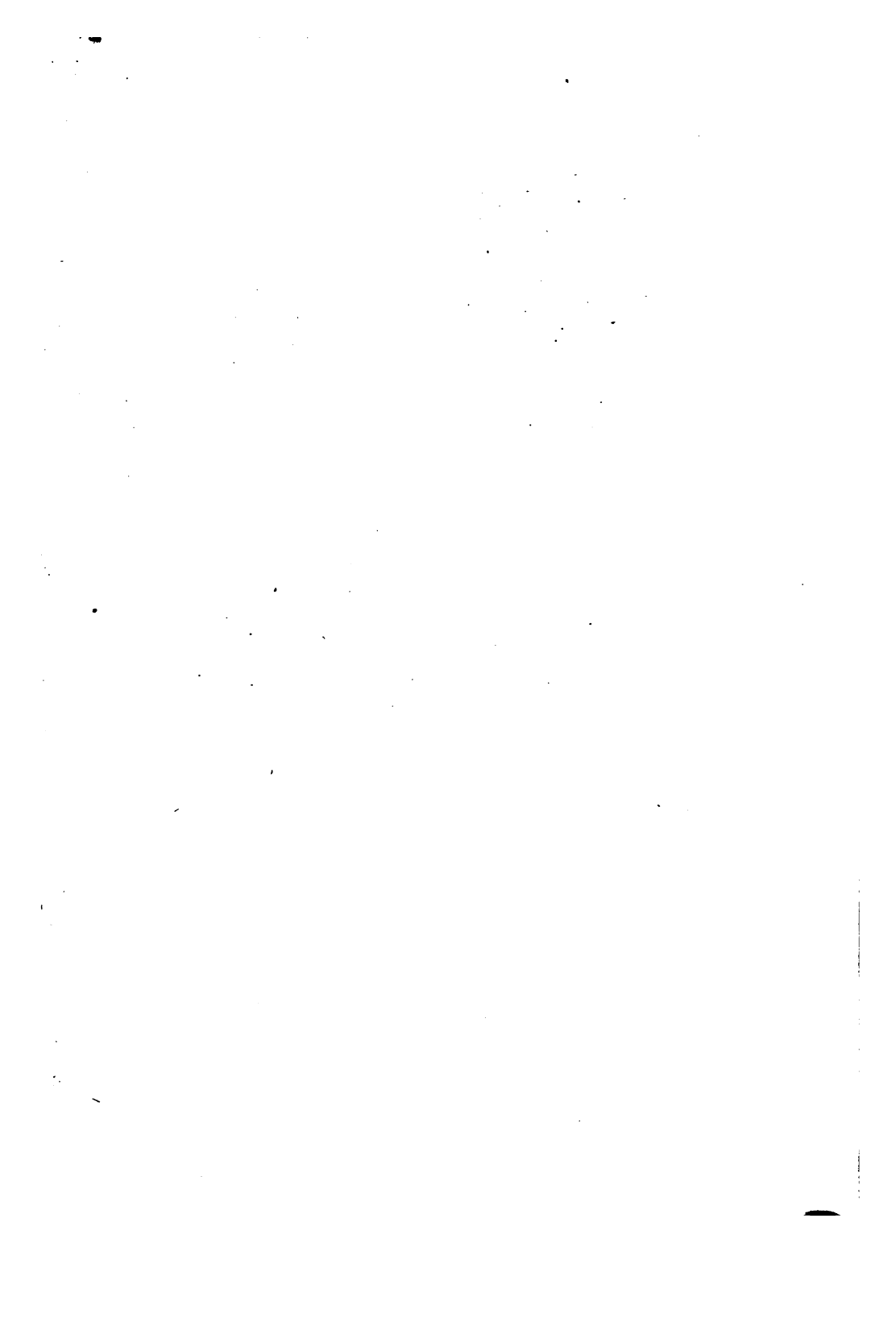
OF THE NEW YORK CITY BAR

TRANSPORTATION LIBRARY

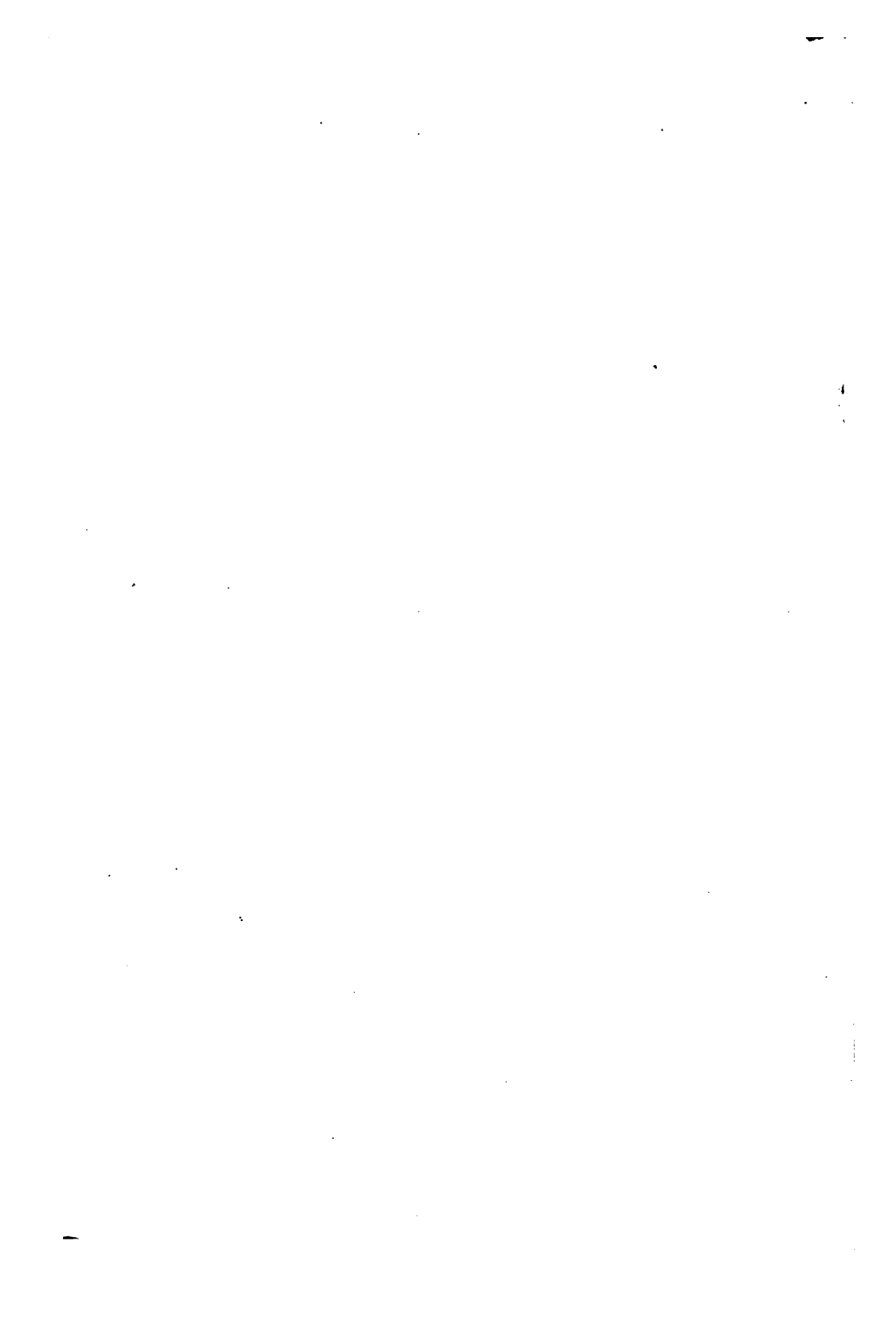
"Virtus laudem imperiat"

BOSTON
THE RIVERDALE PRESS, BROOKLINE
1909

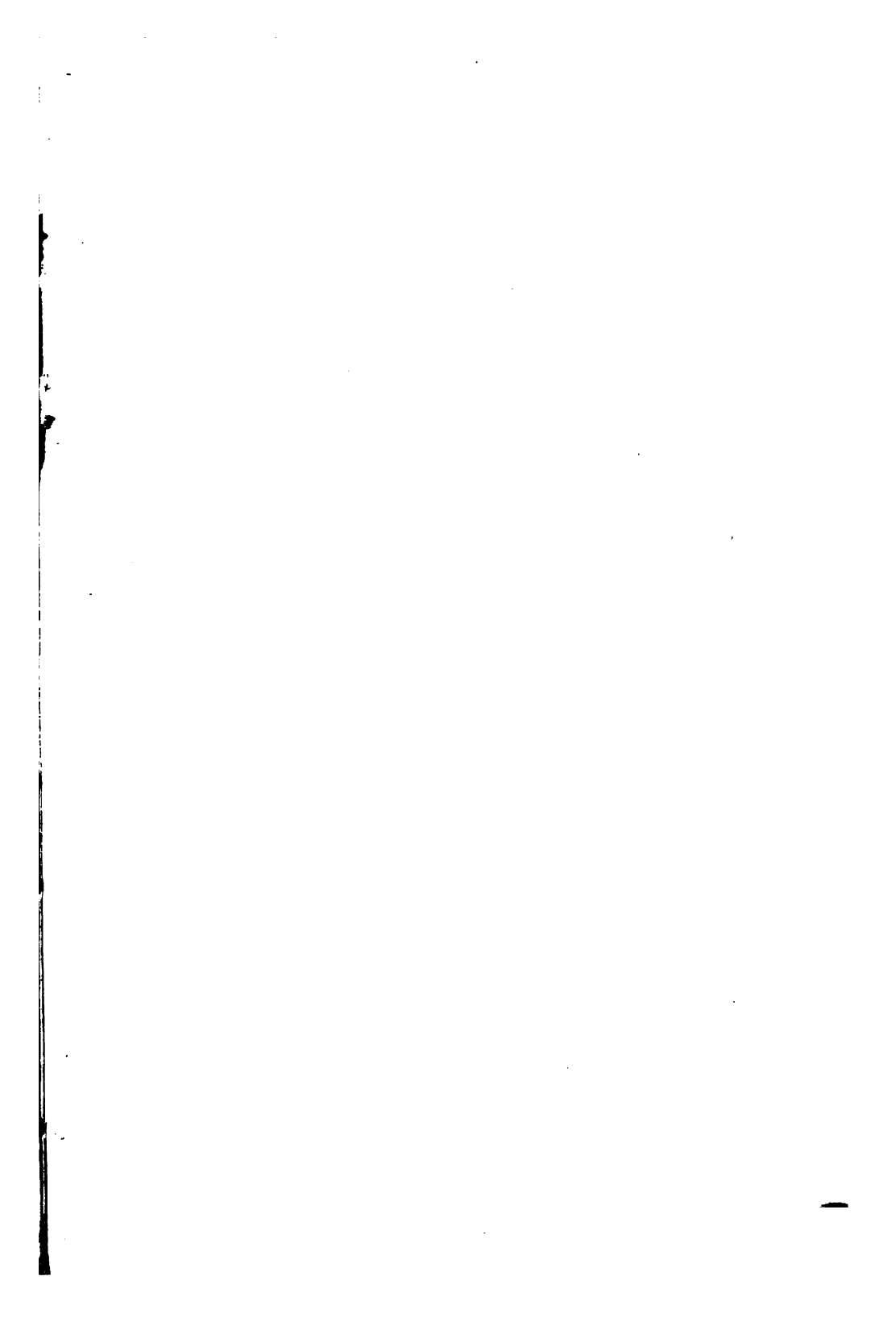
TRANSPORTATION LIBRARY







JAMES GRANT



There was another James Grant, the father of the subject of this sketch, who was born and reared on that estate and had a numerous family, and then James Grant the third made his entrance upon the stage of life there on December 12, 1812. While it is peculiarly appropriate, as will presently appear, to bear in mind the seven stages, quoted so often from Shakspeare, it does not behoove us to linger upon that phase of our subject's life which saw him an infant,

"Mewling and puking in the nurse's arms,
And then the whinnying school boy with his
satchel
And shining morning face, creeping like snail
Unwilling to school."

It is well to observe, however, that he was a precocious child, and after a primary education at a country school where the classics were taught, he was prepared for the University at Chapel Hill, North Carolina, at the early age of thirteen years. When he went down with his father, who also had attended the University, to matriculate, his entrance was frowned upon because he was so small and so young. Under the



JUDGE GRANT'S OLD RESIDENCE IN DAVENPORT
From a photograph taken in 1878



advice of the president of the University he was taken back home and put on the farm for outdoor exercise for two years. Then in 1828, at the age of fifteen, he returned to the University and graduated high up in the class of 1831. He was so advanced when he returned to the University after his vacation, that he was able to enter the sophomore class, and thus finished the curriculum before he was nineteen years of age. He was a most proficient student, ranking high in all things, but especially in mathematics and the classical languages.

After graduation he taught school about two years at Raleigh, the capital of the state, and while there he studied law, having decided upon a career at the bar.

This brings him to twenty-one years of age, when we discover in him the first manifestation of that combination of intelligence and courage which made him the great man he became.

Let us take a look at him and see what his physical appearance was at that time. Of small stature, being not over five feet eight inches in height, he had a frail and delicate body, which gave

no promise of developing strength and ruggedness. Indeed, he was always a man of delicate health. He had, however, well-shaped limbs, and a head larger than the ordinary, which was surmounted by an abundance of dark hair. His eyes were of that changeable gray which is associated so often with genius. His movements were quick, and he gave every indication of being a person of nervous but decisive temperament. His nose was prominent and his mouth was somewhat broad and firm, and his voice deep and commanding. On the whole, his personality, as he came to maturity, could not have been considered heroic, but it bore every impress of great capacity and great determination.

He had somehow acquired an aversion to slavery and for that reason he desired to emigrate from the South. He loved and respected his parents and therefore he did not communicate his aversion for slavery to them; he did not wish to cause a discussion which might give annoyance or distress to his mother and father. Hence he resolved to find a path over the hills of his native state,

and into the partly undiscovered West. He saddled his horse, and with a few hundred dollars, which he had saved out of his earnings as school teacher, he headed for the Blue Ridge, as the mountains of North Carolina were and are familiarly called, and thence wended his way into the blue grass of Kentucky. Then, somehow, things drifted in the wind from the Northwest that there was a place on Lake Michigan, called Chicago, which had about five hundred inhabitants, and a great future. Young Grant took his chance with many other persons and headed for Chicago. There he obtained a license to practise law in January, 1834; and it is noteworthy that he had a fist fight over his first client. It is hard, perhaps, for the young lawyer to have to suffer corporal punishment for the sake of his client's cause, but the client is not likely to forget the fact or to scrutinize the bill too closely under such circumstances. Young Grant found ample proof of these truths in a short while, for we find him presently enjoying the fruits of a large clientage, and making and saving money.

The people of Davenport, Iowa, have reason to say that it is an ill wind that blows nobody good, for the lake winds at Chicago impaired our subject's health, and his physician advised him on that account to locate further west. We may say, therefore, with entire regard for the truth, that he was blown west to a site near the present city of Davenport, Iowa. He settled there on the 18th day of June, 1838. At that time the state of his health was so poor that he seriously contemplated spending the remainder of his years on a farm, and for that reason he bought a place on the river about twelve miles from the site of the present city of Davenport, and took up his residence there. At that time, Davenport proper was not in existence, but when the settlement commenced to grow up he moved into Davenport and continued to reside there for many years. Now, Iowa was not even a territory at that time, but it was created one five days later by an act of Congress; so it appears that young Grant exercised good judgment in locating at a place which would be securely within the protection of



HON. JOHN F. DILLON

As he was about 1879, when he left Davenport
for New York

Judge Dillon, who found encouragement in the early years of his legal career in the example of Judge Grant, and traces the source of his work on "Municipal Corporations" to that jurist's great library, dedicated the second volume of his "Circuit Court Reports" to his long-time friend and benefactor, as follows: "For five and thirty years we have lived in the same town, and during the latter half of that period much of my time has been spent in your library. It gives me pleasure to avail myself of a graceful usage to record my high regard for you as a lawyer and a citizen, and my sincere attachment to you as a friend."

1. The first part of the document is a list of the names of the persons who have been appointed to the various offices of the city of New York.

2.

3.

4.

the laws of the United States government.

On the 8th day of January, 1839, he married his first wife, Sarah E. Hubbard of Massachusetts, but she unfortunately died in June, 1842. Then in January, 1844, he married Ada C. Hubbard, who had emigrated from Vermont to Scott county, Iowa, of which Davenport was the county seat. She, too, died about two and one-half years later, and then in the month of June, 1848, James Grant took unto himself a third wife, Elizabeth Brown Leonard, who was a native of Griswold, New London county, Connecticut, who proved to be in all respects a model helpmate, and survives her husband to this date, enjoying a green old age with her people in the West. Although a child was born of each the first and second marriages, neither of them survived the tender years.

We now have our subject firmly attached to the soil of Iowa, in which he was destined to spend his great energies, and to achieve lasting fame. It is well enough to take note of some of the essential qualities upon which he relied for success.

He was conscious, of course, of a strong capacity to see, understand and utilize the material things that were around and about him. His education had been thorough and he had been equipped in mind to make his calculations within the smallest fractions of exactness. He was prepared to do his life's work without much waste. He was trained to look at the essential and dispense with the non-essential thing. All of these elements of his mentality resulted in what Judge Dillon himself has characterized as "practical sagacity which amounted to genius." But by reason of his power of elimination and his conscious strength to perceive and utilize the essential thing, he was made bold to take hold of large problems. From first to last his mind was broad and daring.

We see him as a lad planning a university course, and as a youth the principal of a school in the capital of his native state, and as a young man just turned his majority a pilgrim on horseback on what he himself called a forty days' journey from Raleigh to Chicago by way of Kentucky. Afterwards a

bold pioneer to the West taking up his residence on a farm near Davenport, but laying the foundations for the greatest legal career that any man ever achieved in that state.

It was part of his great plan of life to possess all the implements of his profession and to have them easily at hand. He seemed to realize the truth of Sharswood's maxim, that the lawyer's difficulty "is not so much to know the law as where to find it." Therefore he commenced to accumulate law books, and in the course of time possessed the largest and most satisfactory library in the state of Iowa. It was indeed the largest law library in the Northwest, and contained more than six thousand volumes, which were accumulated at an expense, since most of the volumes were extremely rare, of something like fifty thousand dollars. This library was offered to the practising attorneys of its owner's acquaintance, and many of them freely consulted his books when working up cases against him. Concerning this library, Judge Dillon relates the following interesting fact:—

When the legislature required a term of the Supreme Court of the state to be held twice a year at Davenport, it was made a condition that it should be without cost to the state, a species of economy, by the way, which has nothing to recommend it. The better to accommodate the court and the bar, Judge Grant fitted up a room for the use of the court above his library, and set it apart for them for several years, neither receiving nor expecting compensation. The judges and bar of the state cannot but feel how much they are indebted to him for access to a library which was until recently the only one in the state at all complete.

He was a great and a systematic worker. It was his habit to rise early, sometimes as early as four o'clock, and he was often found by members of his household delving into books by candle light. The wonder is that he had time to study so many things and become thorough in them. It is surely a great task for any man to master the profession of law, but he became, as we shall presently see, a master of railroad-ing and mining and smelting also. He was not an experimenter in anything, but he was a schooled and graduated expert in law, metallurgy and railroad-ing.

One would think that his time was all devoted to work, but it was not so. Under the roof of his Davenport home, after the war, he had a household such as has seldom been seen in this or any other country. The following account of it was given by his nephew, Hon. Whitaker M. Grant: "When I went to his house in 1868, the family consisted of himself and wife, his mother-in-law, three of his wife's nephews and nieces, and two of his own; I made three. Within a year he had three more of his own and one of his wife's, and beside, these he had three more of his own off at school, who some part of that time were at the house." All of these nephews and nieces were under age, and the eldest was seventeen. Judge Grant had surely assumed a great task in undertaking to care for and educate these children. He had, to be exact, twenty-four nephews and nieces in the South, and his offer was to each and every one of them that he would transplant them at his own expense and provide for them amply if they would emigrate to the West. Twelve of them accepted his offer. He was not a rich man at that

time, and his fortune did not exceed seventy-five thousand dollars when he undertook this prodigious work of kinship and humanity. He threw himself, however, with his accustomed zeal and thoroughness into the duties of *pater familias* for all his nephews and nieces who had accepted his offer to come to the golden West and grow up with it. He laid down certain hard and fast rules by which they were to be governed, and he would tolerate no departure from those rules. One of those rules was that the children were all to be in bed at ten o'clock at night; another more important one was that they were to render an account to him of the expenditures of all the money he advanced to them. He had no patience with deception or duplicity of any kind. It is highly profitable to note that his demand upon himself was for the truth on all occasions, enabling him to become an expert in detecting an error or falsehood in other people. That is one of the secrets of a great lawyer.

It was one of his ideas in hygiene that fruit should not be eaten after nightfall, and therefore he commanded

the occupants of his household to observe this rule. The idea provoked a great deal of merriment among the youngsters, who thereupon took delight in concealing apples in their beds and eating them immediately before going to sleep. On one occasion, the Judge had his suspicions aroused that his orders were not being obeyed in this particular, and he unexpectedly burst into the room where several of the children were about to go to sleep. They gasped at his appearance and tried to conceal among the bedclothes the apples they were eating. They were fairly caught, but the Judge suppressed a broad grin, and left the room immediately, saying, "I advise you to keep the rest of them until breakfast."

In all essential things he was adamant; in things desirable but not vital he had the softness and sweetness of a rose.

He was always fond of horses and chickens. He had high-bred horses and game chickens about him. He was for a number of years president of the American Trotting Association. It would be unfair to conceal the fact that he took great delight in seeing game

cocks fight, and he personally pitted his game birds against those of any of his neighbors who might wish to challenge him. He undoubtedly drew his fondness for this sport from the South, where it was formerly a favorite pastime among men generally.

It is both useful and highly interesting to consider more minutely the relationship between Judge Grant and his nephew, James B. Grant. The Governor would not himself admit any favoritism, and doubtless none was intended, but circumstances created it, and perhaps the secret of it lay in the fact primarily that the nephew's name was James. From the time of George II there had been at least one James in the family.

When young James B. Grant reached Davenport and consulted his uncle, he found no disposition to select a career for him, or to hamper him in whatever career he might select for himself. Judge Grant told him that if he wished to become a lawyer he would help him to that end to the extent of his ability; but the young man did not like this profession, for the reason, given by



EX-GOV. JAMES B. GRANT
of Denver, Col.
Nephew and protégé of Judge Grant and his
partner in mining and smelting

him, that he had not a classical education. The upshot of it was that he chose the profession of civil and mining engineer and went to Cornell for that reason, where he was graduated in 1875; he then went to Freiburg, Germany, for two years, returning by way of Australia and New Zealand and San Francisco, which was a long journey in those days. His education at home and abroad had cost his uncle about eight thousand dollars.

One would think that the Judge might well have left his nephew to shift for himself at this point, but it was not so. Not a great while after the young man returned from Germany, but after he had essayed some independent work of his own selection, his uncle voluntarily loaned him five thousand dollars with which he advised him to buy a mining property in Colorado. This the young man did and received two thousand more with which to open the mine. Then he found to his chagrin that he had opened only a hole in the ground; that all of his engineering and mining skill, acquired at so great an expense, had gone for nothing. He had lost his

uncle's money and had made a dismal failure of life.

It did not seem so to his uncle. The judge promptly sent for the nephew, and his wife wrote an affectionate letter telling him not to bother about the lost money, that it was not a great amount, and that the Judge would not worry over it. When young Grant came to the presence of his uncle he was amazed to hear the older man say that he had expected the loss of the money and was rather glad of it because it would help to develop the bump of caution on his nephew's head. He then informed his nephew that he had planned to give each of his nephews and nieces the amount of twenty thousand dollars by will, but that he would give the share set apart for James B. Grant to him at that time, if the nephew would accept it, and go in partnership with him and build a smelter at Leadville to cost not less than forty thousand dollars. Judge Grant proposed to put up the other twenty thousand dollars himself. This proposition so astounded the young man that he thought he had better have a few days in which to consider it, and at

the expiration of that time, he went back and told his uncle that he felt he could not accept the offer, that if it was all the same he would wait until his uncle's death for the money that was coming to him. At this, the Judge laughed heartily, and said he would not be done out of his project to utilize the highly educated talents of his nephew in work with himself. He therefore submitted another proposition, which was to the effect that he himself would supply all the capital and take all the risk, and that young Grant must go out and build the smelter and operate it, and if it should become profitable the two would become partners upon certain terms which were made by the originator and proposer of this daring enterprise. As the result of this last proposal on the part of Judge Grant, the young man went to Leadville, which was then in the beginning of its renown as a mining centre, and bought a property which proved highly profitable. This was in the year 1877. During ninety days of operation of the smelter, in 1878, they made a profit of thirty thousand dollars, and in one month of

1879 they made thirty thousand dollars, and in 1880, after fifteen months and seven days, they had three hundred and sixty thousand dollars profits. The judge got back his advancements with eighty thousand dollars profits, having made the most liberal allowance to his nephew for producing these splendid results.

Judge Grant then became very much interested in mining enterprises and had at one time about half a million dollars invested in these properties.

An extraordinary circumstance in his life was that when he was past the age of sixty years he went to the Boston Institute of Technology and took a course in metallurgy, placing himself on an equal footing with the other students and reciting with them. This required, of course, several months. Afterwards, when one of his friends inquired why he did this extraordinary thing, he stated that in the course of his dealings with his nephew, James B. Grant, while they were operating a smelting property at or near Leadville, that gentleman politely informed him that he knew little or nothing about that business and that



JUDGE GRANT'S LATER RESIDENCE IN DAVENPORT

it would be to their joint interests if he would return to Davenport and devote himself to his chosen occupation of practising law. He said he could not stand to have any nephew of his say that he did not know all about any business in which he was engaged. We may be quite sure that thereafter he was not afraid to talk about minerals with his expert partner, who bore diplomas from Cornell and Freiburg.

Perhaps the reader will infer that this course of conduct towards James B. Grant was exceptional, but it was not. It was characteristic of Judge Grant. He never made any small plans. He never did anything by halves. He was all for his work and for the project in hand. Like a mariner who knew his port and was confident of his craft, he feared no sea or weather, but rather enjoyed the uncertainty of the deep and an occasional tempest.

Further evidence of his daring is seen in the fact that on one occasion he proposed to two of his nephews, young James B. Grant and William Keiser, that he would equip them with a letter of credit for fifty thousand dollars if

they would go down to Texas, buy three thousand head of cattle and drive them over the country to the Chicago market. This was in 1871. The boys reluctantly accepted the proposition, got on their horses and rode twelve hundred miles through woods, over plains and across the lands of many Indian tribes to the cattle country, but there the project came to an end. They found the cattle, but concluded not to buy because the journey overland homeward, with such a large herd, would be hazardous, in view of the uncertain reputation of the Indians who had to be encountered *en route*. They therefore returned and delivered to the Judge his large amount of money, receiving a smiling look but no reproof for their failure to bring the cattle.

This was the real man, always able and anxious to take a hand, always blazing his own paths and always turning from the disappointment of one task to find another and a bigger one.

It is not profitable to dwell at length upon the offices which he held, for they were only surface indications of the real career of the man, but we may make

brief mention of some of them. While he lived in Chicago he was appointed by Gov. Joseph Duncan prosecuting attorney for the sixth district of Illinois, an office from which he resigned in 1836 to give more particular attention to his home practice. He rode this circuit on horseback and covered about three thousand miles a year. In 1841, after he had removed to Iowa, he was elected a member of the House of Representatives of the Fourth Iowa Territorial Legislative Assembly, and in 1844 he was elected delegate for Scott county to the first constitutional convention, and in 1864 he was the sole representative of that county to the second constitutional convention of the territory, and it is hardly necessary to say that in both conventions he rendered noteworthy services. He was appointed by Gov. Chambers of Iowa, against his protest, prosecuting attorney, and in the year 1847, after the adoption of the Constitution under which Iowa was admitted into the Union, he was elected a judge of the District Court of Iowa and served during his term of five years, declining a re-election. His last appearance upon

the stage of life as a legislator was in 1852, when he was Speaker of the Iowa Legislature. He had now tasted all the sweets of official position, and being full of the expanding energy of his day and generation, and realizing the great demands of the time in the great West, he set himself to do a much greater and more enduring work as a man. He returned to the practice of his profession, giving special attention to railroad cases. He also became personally and financially interested in railroad enterprises, and was the first President of the Chicago and Rock Island Railroad Company.

From that date, during some twenty odd years, he devoted himself with unremitting energy to his professional and business matters, and had at one time the largest practice of any man in the United States, perhaps, before the Supreme Court at Washington. He made at one time in a railroad case a fee exceeding one hundred thousand dollars.

No record of Judge Grant's career would be reliable or honest which did not take account of some of the in-

firmities of his character. The very celerity of his mental operations made him sometimes intolerant of dullness or sloth in others. He was full of wise saws and sayings and tried to confine his life to them, but temptation often beset him. One of his main maxims was that "civility and politeness cost nothing, and pass current in all the markets of the world," which he often quoted in his office and at home. Another one of his firm beliefs was that cheerfulness and good humor should always go with a good appetite to the family table. He insisted that there should be good humor and merriment always in his family at meal times. Nevertheless, he could not always control his temper, and on one occasion, when his nephew, Whit. M. Grant, was found by him having a hot altercation with a man, he called the young man aside after the affair was over and said, "Son, a soft answer turneth away wrath. You should not have scolded that man, but let him think he was having his own way." A few days after that, the man with whom the nephew had had the altercation came back and had an

angry dispute with the Judge about the same subject-matter. Judge Grant lost his temper completely and knocked him down, whereupon, the nephew, who could not resist the temptation to have a laugh at his uncle's expense, approached him and said, "Uncle, why didn't you try the soft answer on him?" The Judge immediately regained his composure and laughed, saying, "Yes, yes, I should have done so." He was a constant reader of the Bible, and often quoted it, but like most other men he was not quite able always to live up to its precepts.

We find him now, after the lapse of fifty years from his matriculation, at the University of North Carolina, returning to deliver an address to the Alumni at Chapel Hill on the 6th day of June, 1878. Here, surely, we shall find some outcroppings of that secret man who had been planning and achieving so much in all those years. "The motions of his spirit" must necessarily be felt somewhere in this notable address, which he delivered in the maturity of his powers to the alumni of the university at which he received



HON. WHITAKER M. GRANT
of Oklahoma City, Okla.

Sometime law partner of Judge Grant, and
United States Attorney in Alaska
1885-1889, under Cleveland



his most effectual training for his life's work, and before a large gathering of graduates, some of whom had been in his class of the year 1831.

Accordingly, we find that he retained a strong affection for the people and institution of his native state, and that he did not undervalue the work of the university which had drilled into his mind and heart the principles upon which he had built the edifice of his life's work. Said he:—

In all my wanderings, the old North State has never lost its place in my memory or affections. To me, in the full maturity of manhood's days, in the enjoyment of the recollections of a long life, there is always a well-spring of happiness in the memories of the past which cluster around the humble home of childhood's hours; and I rejoice that the poverty-stricken boyhood, which stimulated me to go to the other, and, as I think, a better land, was passed in the pine-barrens of your sea coast, and that the sturdy manhood, the independent spirit, the indomitable will to succeed, were all made a part of my existence in the quiet shades of these college grounds.

That surely is a noble appreciation of life, worthy of remembrance by every youth who bears the name of an American.

His address discloses the most thorough and complete understanding of the progress of the world in his day and time, and particularly of the development of steam power, including the origin and growth of railroads, which was a particular pet of his mind. He thought, of course, that his half century of active life had been in the golden age of the world, since it had seen the progress of railroading from the time of a protest to Parliament against the passage of an act which would permit a train, with passengers, to travel more than twelve miles an hour, to the operation of trains between New York and San Francisco within six days, and giving to travelers the comforts of sleeping accommodations *en route*.

Let us hear him a moment on this subject:—

The first railway for the carriage of passengers was the Stockton and Darlington, thirty-seven miles long, built in 1825. The carriages were drawn by horses. At this period the only improved means over the common highway of intercourse between different parts on land were canals, which in the northern part of the temperate zone were, like the rivers, frozen over for one-half

of the year. The business was so badly conducted that the transport of a bale of cotton from Liverpool to Manchester is said to have occupied as long a time as that required for an ordinary voyage across the Atlantic in sailing vessels. All the commerce between the Atlantic and Ohio was by wagons.

Mankind, even in the face of all our progress, is slow to adopt anything new. The fate of Fulton is not peculiar. Howe, the sewing machine man, long after his invention was in practical use, was thought to be a cracked-brain enthusiast. The canal interests in Britain had such influence in Parliament as to delay for years the passage of a bill to construct a railroad from Liverpool to Manchester. The act was passed in 1828. The line, when begun, was to be used to convey goods, and the wagons to be drawn by horses. When the proposal was made and a prize offered to induce the use of steam power, an eminent authority, in a serious treatise on the subject, "hoped he might not be confounded with those enthusiasts who maintained the possibility of carriages being driven on a railway at such a speed as twelve miles an hour."

It is noteworthy that there is no mention of dining cars, wireless telegraphy, phonographs, typewriters, telephones, dirigible balloons, aeroplanes, radium, electric lights, or other modern contrivances in this address, which

reviews with so much satisfaction the achievements of the half century between 1828 and 1878. None of them was known at that time. It is a wise man who perceives that the coming age will outdo his own. Nevertheless, it is well for each age to appreciate its own achievements. Judge Grant was not overestimating the world's achievements of his day and generation. That he knew and appreciated those achievements whether in science, art, or in practical matters is fully manifested in this address from which we have been quoting.

But is there not somewhere among his spoken words on this the most notable occasion in his life some suggestion of that innermost motive of his life, which impelled him to utilize all the gifts and advantages with which it pleased Providence to surround him for the benefit of his fellowmen? Yes, and it is a brief but convincing passage. We find it at the close of the address:—

Brothers Alumni! What part have we acted in this grand drama of human life, during this period of progress in the world, in which we could not, if we would, have been merely spectators? Have we so lived in the



DR. WILLIAM WEST GRANT
of Denver, Col.

**Nephew and protégé of Judge Grant, and the first
surgeon to perform a successful operation
for appendicitis, January 4, 1885**

service of mankind to be a guardian god below? Have we employed the mind's brave ardor in heroic aims, such as might raise us over the common herd and make us shine forever? That is life.

That surely is a great and noble concept of the plan of creation and of life. In the Heavens one God, and on earth every man, according to his power and his volition and habit, a guardian god of his less capable and less achieving brethren.

It behooves us now to trace his career down to its close, and we shall find that even to his last hour he exemplified the best characteristics of human nature. In the year 1880, realizing the commencement of the decline of his powers, he went to California and invested considerably in mining and agricultural properties in that state. He took up his residence near Fresno. He devoted much time to the cultivation of fruits, and was particularly anxious to set an example to the rural population in the cultivation of the soil. He was born on a farm, he had lived while in active practice much of the time on a farm, and now he retired to a farm for the end of his career.

He and his wife were now removed far from the scene of their most active days, but they were by no means idle. Their home was so much less frequented by visitors, however, that on one occasion when James B. Grant, his nephew, now ex-Governor of Colorado, was on a visit to them, he inquired of his uncle whether he did not feel lonely in his remote surroundings. To this the Judge replied with a smile on his face, "No, I am not, I want you to understand that I am good company for myself."

We may believe that he was, since it was his habit to read the great plays of Shakspeare two or three times a year, and it was a delight of his life, even to the end of it, to pore over the familiar pages of Virgil and Cicero, which he knew almost by heart, so much so that he had the reputation in certain quarters of talking Latin. It is said on good authority that his warm attachment for Senator Wade Hampton of South Carolina, and also for Senator Matt. Whitaker Ransom of North Carolina, to whom Judge Grant was a first cousin, was based largely upon the fact that they were so much at home in Latin.

This was doubtless an exaggeration, but the fact remains that each of these men was a highly proficient classical scholar.

Of course, Judge Grant was never lonely, since he was ever in mental and spiritual communication with the greatest and best men in the world's history. He possessed in a large measure the "King's Treasuries," which John Ruskin has so beautifully described.

Now, at last, we see him in his seventy-eighth year stricken and abed in his California home, now at Oakland, conscious of his impending dissolution. His good wife, realizing his condition and knowing the desire of his heart, sends messages to his favorite nephews to come quickly if they desire to see their uncle again before his death. A tinge of romance is given to the picture when we see ex-Gov. Grant alone responding in time; the others arrived too late. He speeds from Denver to that distant California home and finds the aged jurist and man of affairs far spent and about to depart for that undiscovered country from which "no traveler e'er returns."

He arrived on Saturday and spent

most of the next ensuing forty-eight hours near the bedside of the dying uncle. He was anxious to know whether that uncle would say anything on the subject which had been always avoided by him, his religious convictions, but not once did the mind of his uncle give forth a word thereon. That he was a man of deep religious convictions there is no doubt, but the privilege he yielded to others he exercised himself, to worship God in his own way. The following passage from an address which he delivered before the Scott County Pioneer Settlers Association at Davenport on June 9, 1872, sufficiently attests that fact:—

We organized society in the desert. We who survive enjoy civilization in its highest form and whatever is found to be most useful in the arts. Whatever of happiness there is in morality and in intelligence, in the school and church, in education and refinement, in constant and easy intercourse with our fellows, in confidence and cheap transit of trade, and sale of products of labor, in the telegraph and printing press—is ours to-day and to the end of our lives.

Most of the old settlers of this country survived the privations, the wants, the perils and poverty of frontier life. They endured most suffering from 1833 to 1834, but they

lived to greet the dawn of a better day for themselves. They saw the bright sunshine of the rosy fleeced morn of prosperity, and lived to feel its meridian splendor on themselves and their families.

Surely goodness and mercy attended them all their days and they shall dwell in the House of the Lord forever.

Now, he himself was ready to join the pioneers who had gone before.

His ship had sailed what time it might the inland seas of life, and now it was putting out again for the shining port across the immeasurable deep. The captain was not afraid. From his character and career, we may well believe that he held the sentiment of Tennyson's lines:—

Sunset and evening star,
And one clear call for me!
And may there be no moaning of the bar,
When I put out to sea.

Accordingly, in the twilight of the next Monday evening, while the nephew was sitting by the bedside, the uncle alluded to the fact that he was growing weaker. Then the nephew said: "I trust not, uncle. I hope you will take a turn for the better and soon be up and in good health."

"No, son," said Judge Grant, "I am dying," and with that, he extended his right hand, placed it in a friendly clasp upon the hand of his nephew, and quietly passed away March 14, 1891.

He had been abashed, like Lincoln, by the multitude of creeds and formulas with which men had been pleased to hedge about the Deity, and realizing the sacredness of the relationship between man and his Creator, and the sanctity of life itself, he had gone about the doing of the work which he was sent to do with a hearty good will, and having achieved it, he went to his rest without any misgivings, and happily, without any apparent suffering.

By his will he left a fortune amounting to more than six hundred thousand dollars to be divided between his wife, his nephews and nieces. He had lived an open-handed life, moreover, giving freely to all that asked of him, and including a handsome donation to his Alma Mater.

Thus was begun and continued and ended the life of James Grant, a model American.



